

Appl. No. : 10/775,341
Filed : February 10, 2004

REMARKS

Claims 6, 14-26, 30-32, and 34 have been cancelled. Claim 1 has been amended. Claims 1-5, 7-13, 27-29, 33, and 35-64 are now pending in this application. Claims 27-29, 33, and 35-64 are withdrawn from consideration. Support for the amendments is found in the existing claims and the specification as discussed below. Accordingly, the amendments do not constitute the addition of new matter. Applicant respectfully requests the entry of the amendments and reconsideration of the application in view of the amendments and the following remarks.

Allowable subject matter

The Examiner's indication of allowable subject matter for claims 10-13 is gratefully acknowledged. It is respectfully requested that withdrawn claims 27-29, 33, and 35-50 be rejoined. It is respectfully submitted that claims 10-13, 27-29, 33, and 35-50 are in condition for allowance.

Rejection under 35 U.S.C. § 103(a)

Claims 1-8 are rejected under 35 U.S.C. § 103(a) as unpatentable over Webb, et al. (U.S. Patent No. 6,670,129) in view of Ausubel, et al. (Current Protocols in Molecular Biology, 1988).

In the Advisory Action mailed June 6, 2006, the Examiner stated that claim 1 did not define the transfection agent as the metal salt alone.

With this amendment, claim 1 has been amended to recite the "transfection agent consisting essentially of a metal salt which is not pre-mixed with the biomolecule". Accordingly, the transfection agent is now clearly defined as the metal salt. Applicants' previous arguments submitted with the May 16, 2006 response are incorporated herein by reference. Accordingly, Applicants respectfully submit that all of the claims are in condition for allowance. Applicant respectfully request rejoinder of the withdrawn claims.

In view of Applicants' amendments and previously submitted arguments, reconsideration and withdrawal of this ground of rejection is respectfully requested.

CONCLUSION

In view of Applicants' amendments to the claims and the foregoing Remarks, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any remaining concerns which might prevent the prompt allowance of the

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application, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Dated: June 22, 2006

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